
420 Lexington Avenue • Suite 2525 • New York, New York 10170
T: 212.792-0048 • E: Joshua@levinepstein.com

March 6, 2020

Via Electronic Filing

The Honorable Magistrate Judge Steven Tiscione
U.S. District Court Eastern District of New York
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Chincha v. Patel*
Case No.: 1:17-cv-06127-ILG-ST

Dear Honorable Judge Tiscione:

This law firm represents Defendant Manojkumar Patel (the “Defendant”) in the above-referenced action. This letter is submitted on consent of Plaintiff.

Pursuant to Rule I(D) of Your Honor’s Individual Motion Practices, this letter respectfully serves as a request to extend: (i) the fact discovery deadline of March 20, 2020 to, through and including, April 30, 2020 and: (ii) the dispositive motion deadline of April 20, 2020 to, through and including, May 20, 2020. This is the sixth request for an extension of time, and this request is not made lightly.

The basis of this request is that Plaintiff’s counsel has failed to respond to multiple attempts to schedule his client’s deposition. Thus, out of an abundance of caution, the undersigned respectfully believes that an extension of time of the fact discovery deadline is appropriate to finalize depositions, and issue anticipated supplemental discovery requests regarding to information gleaned during the course of the depositions.

For example, the undersigned re-noticed Plaintiff’s deposition for this Monday, March 9, 2020. By email dated February 24, 2020, the undersigned emailed Plaintiff’s counsel accordingly. Plaintiff’s counsel did not respond to said email. By email dated March 5, 2020, the undersigned sent a follow-up email to Plaintiff’s counsel. This morning, at 10:25 a.m. Plaintiff’s counsel informed the undersigned that he had not received the email sent on the February 24, 2020. He further said that Plaintiff is unavailable on Monday, March 9, 2020. The undersigned is working in good faith to come to a mutually agreeable date for Plaintiff’s deposition that would avoid further Court intervention.

This morning, the undersigned emailed Plaintiff’s counsel requesting his consent to extending the completion of fact discovery. As of the time of this filing, Plaintiff’s counsel has not responded to the undersigned’s request.

Thus, Defendant respectfully requests that: (i) the fact discovery deadline of March 20, 2020 be extended to, through and including, April 20, 2020 and: (ii) the dispositive motion deadline of April 20, 2020 be extended to, through and including, May 20, 2020.

Thank you, in advance, for your time and attention.

Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: /s/ Jason Mizrahi

Jason Mizrahi

420 Lexington Avenue, Suite 2525

New York, NY 10170

New York, New York 10119

Tel.: (212) 792-0046

Email: Jason@levinepstein.com

Attorneys for Defendant

Cc: All Parties via ECF